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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,177	01/12/2001	Franz Amtmann	AT 000001	9986
65913 7590 03/02/2007 NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			EXAMINER KIM, KEVIN	
			ART UNIT 2611	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	
3 MONTHS			03/02/2007	
			DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/759,177

Applicant(s)

AMTMANN, FRANZ

Examiner

Kevin Y. Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9,11-14,17,20 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9,11-14,17,20 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed December 19, 2006 have been fully considered but they are not persuasive.

Applicant argues that claims 1 and 12 was misconstrued when they were rejected under 35 USC 112, 1st paragraph. Specifically, applicant asserts that the limitation "the receiving means configured to be controllable as regards the value of both the at least one second transmission coil and the capacitor configuration" is not supposed to mean that *both* the second transmission coil and the capacitor configuration are controllable. If that is the case, then the claims are such that the receiving means is controllable with respect to the value of either of the second transmission coil and the capacitor configuration. Then, the ground of rejection in the Office action of January 19, 2006 applies again since that rejection was made with the understanding that the receiving means is controllable with respect to the value of either of the second transmission coil and the capacitor configuration.

Regarding the amendment to the claims by adding "by an impedance value due to control over" both the second transmission coil and the capacitor configuration in place of "as regards the value of" both the second transmission coil and the capacitor configuration, the capacitance of the capacitor configuration (24,28) of the prior art is "an impedance value" since a capacitor is an impedance.

Thus, the ground of the rejection of the claims, as set forth in the Office action of January 19, 2006 is reinstated in light of the argument particularly regarding the limitation "the receiving

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means configured to be controllable as regards the value of both the at least one second transmission coil and the capacitor configuration” as discussed above.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claims 1-5,7-9, 12-14,17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Trontelj (US 6,208,235 previously cited).

Claim 1.

Referring to Fig.1, Trontelj teaches a data carrier (12) configured to communicate with a communication station (10) with the aid of a carrier signal having a given carrier signal frequency. The data carrier (12) includes a receiving-means configuration for receiving the carrier signal, wherein the receiving-means configuration includes;

a first switching means (34), which is switchable between a conductive switching state and a nonconductive switching state,

a first transmission coil (L_c) that can be short-circuited with the aid of the first switching means, through which a coil current (I_2) flows during a communication process with a communication station, during which process the switching means is in its conductive switching state and the coil current (I_2) has a phase lag with respect to the voltage across the first transmission coil (col. 7, line 45), and

a capacitor configuration (24, 28) arranged in parallel with at least one

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second transmission coil (L_r), causing a coil current (I_1) through the second transmission coil during a communication process with a communication station, where the coil current (I_1) has a phase lead with respect to the voltage across the second transmission coil (col. 7, line 37).

The data carrier (12) is further characterized in that the receiving means configuration is configured to be controllable by an impedance value due to control over both the at least one second transmission coil (L_r) and the capacitor configuration (24, 28), wherein the controllable value is selected so that, during the communication process with a communication station, the respective magnetic fields associated with the first transmission coil and the at least one second transmission coil are cancelled. See col. 6, lines 49-51. Col.5, line 32-36 describes the controlling of the capacitance, i.e., impedance, of the capacitor configuration (24, 28).

Claims 2, 3 and 7.

See col.5, line 32-36 describing the controlling of the capacitance of the capacitor configuration (24, 28).

Claim 4.

Trontelj shows the capacitor configuration is comprised of a first capacitor (24) and at least one series arrangement of a second capacitor (28) and a second switching means arranged in parallel with the first capacitor (24). Although the second switch is not illustrated, its presence can be easily deduced by noting that since the MOD output is switchable between a conductive switching state (when the ground connection is made) and a non-conductive switching state (when the ground connection is broken), a switch is present between the second capacitor (28) in series with the ground. See col. 5, lines 32-36.

Claim 5.

Fig.1 of Trontelj clearly shows that the capacitor configuration (24/28) is disposed in series with the first transmission coil (Lc).

Claim 8.

Referring to Fig.2A, Trontelj shows a second embodiment where the receiving means (12) is configured such that the value of the least one second transmission coil (L2) is controllable. See col. 8. lines 12-23 in particular.

Claim 12. (which is substantially the same as claim 1 except that it does not require the capacitor configuration (24, 28) to be arranged in parallel with at least one second transmission coil (Lr))

Referring to Fig.1, Trontelj teaches a data carrier (12) configured to communicate with a communication station (10) with the aid of a carrier signal having a given carrier signal frequency. The data carrier (12) includes a receiving-means configuration for receiving the carrier signal, wherein the receiving-means configuration includes;

a first switching means (34), which is switchable between a conductive switching state and a nonconductive switching state,

a first transmission coil (Lc) that can be short-circuited with the aid of the first switching means, through which a coil current (I_2) flows during a communication process with a communication station, during which process the switching means is in its conductive switching

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state and the coil current (I_2) has a phase lag with respect to the voltage across the first transmission coil (col. 7, line 45), and

a capacitor configuration (24, 28), causing a coil current (I_1) through the second transmission coil during a communication process with a communication station, where the coil current (I_1) has a phase lead with respect to the voltage across the second transmission coil (col. 7, line 37).

The data carrier (12) is further characterized in that the receiving means configuration is configured to be controllable by an impedance value due to control over both the at least one second transmission coil (L_r) and the capacitor configuration (24,28), wherein the controllable value is selected so that, during the communication process with a communication station, the respective magnetic fields associated with the first transmission coil and the at least one second transmission coil are cancelled. See col. 6, lines 49-51. Col.5, line 32-36 describes the controlling of the capacitance, i.e., impedance, of the capacitor configuration (24, 28).

Claim 13.

Fig.1 of Trontelj clearly shows the capacitor configuration is comprised of a first capacitor (24) and at least one series arrangement of a second capacitor (28) and a second switching means arranged in parallel with the first capacitor (24). Although the second switch is not illustrated, its presence can be easily deduced by noting that since the MOD output is switchable between a conductive switching state (when the ground connection is made) and a non-conductive switching state (when the ground connection is broken), a switch is present between the second capacitor (28) in series with the ground. See col. 5, lines 32-36.

Claim 14.

Fig.1 shows that the capacitor configuration (24,28) is in series with the first transmission coil (Lc) and in parallel with the at least one second transmission coil (Lr).

Claim 16.

Fig.1 of Trontelj clearly shows the capacitor configuration is comprised of a first capacitor (24) and a second capacitor (28), wherein the first capacitor is in parallel with the second transmission coil (Lr), which is in a series with the first transmission coil (Lc) and a second switching means arranged in parallel with the first capacitor (24). Although the second switch is not illustrated, its presence can be easily deduced by noting that since the MOD output is switchable between a conductive switching state (when the ground connection is made) and a non-conductive switching state (when the ground connection is broken), a switch is present between the second capacitor (28) in series with the ground. See col. 5, lines 32-36.

Claims 17 and 18.

See col.5, line 32-36 describing the controlling of the capacitance of the capacitor configuration (24, 28).

Claim 19.

Referring to Fig.2A, Trontelj shows a second embodiment where the receiving means (12) is configured such that the value of the least one second transmission coil (L2) is controllable. See col. 8. lines 12-23 in particular.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9,11, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trontelj as applied to claims 8 and 19 above respectively in view of Burkhardt et al (US 3,951,230 cited previously).

Trontelj discloses all the subject matter claimed except that there are a plurality of second transmission coils. However, the number of the second transmission coils, which are in fact well known inductor coils, to provide a desired inductance is considered as a matter of design choice to one skilled in the art at the time the invention was made in that a desired inductance could be provided by serial connecting inductors, as evidenced by Burkhardt et al. See col. 2, lines 30-32. In other words, a single inductor is equivalent to a serially connected inductors of smaller inductance. Furthermore, the specification fails to disclose criticality of using plural inductors as opposed to a single inductor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Y. Kim whose telephone number is 571-272-3039. The examiner can normally be reached on 8AM --5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 26, 2007

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KEVIN KIM
PRIMARY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Kevin Kim', is written below the printed name and title.